

REMARKS

Applicants have herein amended the paragraph beginning on page 2, line 2 and beginning on page 4, line 23 of the filed specification to properly cite the Application Serial Numbers of cross-referenced patent applications, and have amended the abstract to correct an informality noted by the Examiner. Claims 1-62 were originally pending in the application. Applicants have herein amended claims 22 and 23. No new matter is introduced by Applicants' amendments to the specification or claims. Currently pending in the application are claims 1-62, as amended herein.

Examiner's Objections

The Examiner has objected to the abstract because of informalities. Applicants have herein amended the abstract to overcome the Examiner's objection and to provide greater clarity. Applicants respectfully request the Examiner to withdraw his objection to the abstract.

The Examiner has objected to claim 23 because of alleged informalities. Applicants respectfully traverse the Examiner's objection, and submit that the Examiner's suggested change is improperly phrased. However, Applicants have amended claim 23 differently from the Examiner's suggestion, and have thereby removed the terms objected to by the Examiner. Accordingly, Applicants respectfully request the Examiner to withdraw his objection to claim 23.

35 U.S.C. 112 Rejections

The Examiner has rejected claim 23 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicants have amended claim 23 for clarity and for agreement with the terminology of the written description. Claim 23 as amended herein recites a router system wherein:

“said at least one packet segment is selected from the group consisting of portions of packets larger than said chunk payload, portions of packets equal in size to said chunk payload, and portions of packets smaller in size than said chunk payload.”

The subject matters recited in claim 23, as herein amended, are disclosed in Applicants' specification, page 9, lines 13-14, among other places. Applicants accordingly request the Examiner to withdraw his rejection of claim 23 and to pass claim 23 to issue.

35 U.S.C. 103 Rejections

A. Combination of Woodward and Miles

The Examiner has rejected claims 1-4, 14-22, 24-29, 37-48, 53, and 57-62 under 35 U.S.C. 103(a) as being unpatentable over Woodward et al. (U.S. Patent No. 6,151,318), hereinafter referred to as *Woodward*, in view of Miles et al. (U.S. Patent No. 6,665, 495), hereinafter referred to as *Miles*.

Claim 1 recites a network router system "comprising a switch fabric configured such plurality of destination ports in **substantially fixed sized chunks**, each said chunk being that information flows through said switch fabric from a plurality of source ports to a formatted to include a framing symbol." That is, Applicants recite a system in which information is encapsulated in substantially uniform-sized chunks.

Applicants' detailed description at page 9 line 9 through page 10 line 6, among other places, discloses **chunks having uniform sized payloads**, for example 400 bytes, **encapsulating variable numbers of variable sized packet segments**. On the contrary, *Woodward* describes in connection with Figures 1-3 **a packet having a variable sized payload encapsulating uniform sized ATM cells**. No combination of *Woodward* and *Miles* teaches or suggests encapsulating information in **substantially uniform-sized chunks**.

Since the Examiner's combined references fail to teach each and every limitation of claim 1, Applicants submit that claim 1 is allowable and respectfully request the Examiner to withdraw his rejection of claim 1 under 35 U.S.C. 103(a) and to pass claim 1 to issue.

Similarly, the Examiner's combined references fail to teach or suggest each and every limitation of claim 25, which recites "...encapsulating input data packets from a plurality of source ports into substantially fixed sized chunks....," contrary to *Woodward*, which describes in connection with Figures 1-3 **encapsulating uniform sized ATM cells into packets having variable sized payloads**. No combination of *Woodward* and *Miles* teaches or suggests encapsulating information in **substantially uniform-sized chunks**. Since the

Examiner's combined references fail to teach each and every limitation of claim 25, Applicants submit that claim 25 is allowable and respectfully request the Examiner to withdraw his rejection of claim 25 under 35 U.S.C. 103(a) and to pass claim 25 to issue.

Claims 2-4, 14-22, 24, 26-29, 37-48, 53, and 57-62, rejected as described above, depend directly or indirectly from base claims 1 or 25 and therefore inherit all of the limitations of their respective base claims. Accordingly, Applicants submit that claims 2-4, 14-22, 24, 26-29, 37-48, 53, and 57-62 are allowable for the same reasons that claims 1 and 25 are allowable, and respectfully request the Examiner to withdraw his rejections and to pass claims 2-4, 14-22, 24, 26-29, 37-48, 53, and 57-62 to issue.

Additionally, regarding claims 2-4, 19, 27-29, 42, 46, 48, 53, and 57-62, the Examiner has not provided sufficient explicit grounds for rejection under 35 U.S.C. 103(a) as being unpatentable over *Woodward*, in view of *Miles*. Applicants accordingly submit that the Examiner's rejection is improper. The Examiner is respectfully requested to provide specific proper grounds for rejection or to withdraw his rejection of claims 2-4, 19, 27-29, 42, 46, 48, 53, and 57-62, and to pass claims 2-4, 19, 27-29, 42, 46, 48, 53, and 57-62 to issue.

Regarding claim 26, the Examiner's combined references fail to teach or suggest the limitation of information flowing in substantially fixed chunks, as described in connection with claims 1 and 25 in the remarks above. Applicants accordingly submit that claim 26 is allowable and respectfully request the Examiner to withdraw his rejection and pass claim 26 to issue.

B. Combination of Woodward/Miles/Feldmeier

The Examiner has rejected claims 5-6, 11-12, 30-31, and 55-56 under 35 U.S.C. 103(a) as being unpatentable over *Woodward*, in view of *Miles* as applied to claims 1-4, and further in view of Feldmeier (U.S. Patent No. 5,583,859), hereinafter referred to as *Feldmeier*. Claims 5-6, 11-12, 30-31, and 55-56 all depend either directly or indirectly from base claim 1 or 25, and accordingly inherit all of the limitations of their respective base claim. Therefore Applicants submit that claims 5-6, 11-12, 30-31, and 55-56 are allowable for the same reasons that claims 1 and 25 are allowable, as discussed in the remarks above. Applicants respectfully request the Examiner to withdraw his rejections of claims 5-6, 11-12, 30-31, and 55-56 and to pass claims 5-6, 11-12, 30-31, and 55-56 to issue.

C. Combination of Woodward/Miles/Spendley

The Examiner has rejected claims 7-10, 33-36, 49, and 50-52 under 35 U.S.C. 103(a) as being unpatentable over *Woodward*, in view of *Miles* as applied to claims 1-4, and further in view of *Spendley* (UK Patent No. 2,086,184), hereinafter referred to as *Spendley*. (Please note that the Examiner has apparently erroneously referred to *Spendley* as “*Martin*.”) Claims 7-10, 33-36, 49, and 50-52 all depend either directly or indirectly from base claim 1 or 25, and accordingly inherit all of the limitations of their respective base claim. Therefore Applicants submit that claims 7-10, 33-36, 49, and 50-52 are allowable for the same reasons that claims 1 and 25 are allowable. Applicants respectfully request the Examiner to withdraw his rejections of claims 7-10, 33-36, 49, and 50-52 and to pass claims 7-10, 33-36, 49, and 50-52 to issue.

Additionally, regarding claims 34, 36, 51, and 52, the Examiner has not provided sufficient explicit grounds for rejection under 35 U.S.C. 103(a) as being unpatentable over *Woodward*, in view of *Miles* and further in view of *Spendley*. Applicants accordingly submit that the Examiner’s rejection is improper. The Examiner is respectfully requested to provide specific proper grounds for rejection or to withdraw his rejection of claims 34, 36, 51, and 52, and to pass claims 34, 36, 51, and 52 to issue.

D. Combination of Woodward/Miles/Enns

The Examiner has rejected claims 13, 32, and 54 under 35 U.S.C. 103(a) as being unpatentable over *Woodward*, in view of *Miles* as applied to claims 1-4, and further in view of *Enns et al.* (US Patent No. 6,658,010), hereinafter referred to as *Enns*. Claims 13, 32, and 54 all depend either directly or indirectly from base claim 1 or 25, and accordingly inherit all of the limitations of their respective base claim. Therefore Applicants submit that claims 13, 32, and 54 are allowable for the same reasons that claims 1 and 25 are allowable. Applicants respectfully request the Examiner to withdraw his rejections of claims 13, 32, and 54 and to pass claims 13, 32, and 54 to issue.

Additionally, regarding claims 32 and 54, the Examiner has not provided sufficient explicit grounds for rejection under 35 U.S.C. 103(a) as being unpatentable over *Woodward*, in view of *Miles* and further in view of *Enns*. Applicants accordingly submit that the Examiner’s rejection is improper. The Examiner is respectfully requested to provide specific

Application No.: 09/703,038

Docket No.: 59182/P004US/10020641

proper grounds for rejection or to withdraw his rejection of claims 32 and 54, and to pass claims 32 and 54 to issue.

Conclusion

Currently pending in the application are claims 1-62, as amended herein. In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 06-2380, under Order No. 59182/P004US/10020641 from which the undersigned is authorized to draw.

Dated: April 8, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV482736461US, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 8, 2004

Signature: _____

Joy M. Perigo

Respectfully submitted,

By William B. Tiffany
William B. Tiffany

Registration No.: 41,347

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-8204

(214) 855-8200 (Fax)

Attorney for Applicant